

March 12, 2007
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, March 12, 2007, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: NEIL BRYANT, DEBI ROSS, LINDA ROBINSON, OLEN THOMAS, CARY GAINES, and CHARLIE HIGHT, a quorum was declared (6/0). Aldermen JOHN PARKER and MURRY WITCHER were absent (attending the National League of Cities Conference in Washington, DC). Assistant City Clerk Linda Marshall and City Attorney C. Jason Carter were also present.

The invocation was given by Alderman Hight, followed by the pledge of allegiance to the flag which was also led by Alderman Hight.

On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the minutes of a regular council meeting, and a Special Call meeting, held on Monday, February 26, 2007, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the blanket motion of Alderwoman Robinson and seconded by Alderman Hight, and by consent of all members present, communications # 1, and 3 were accepted and filed (6/0).

1. Sharon Tedford, Mayor's Office, memorandum re: application for new restaurant wine and retail beer on premises permit for Hog Wild Cafe, 4629 East McCain Boulevard, by Barbara M. French.
3. James H. Ard, letter to Mayor Hays re: requesting reimbursement for medical expenses as a result of injuries (approximately \$400.00).

On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, communication #2 was read by title only, accepted and filed (6/0).

2. John Rosenow, President National Arbor Day Foundation letter to Mayor Hays re: congratulations to North Little Rock on being named a 2006 Tree City USA.

Mayor Hays referenced communication #3 and advised the City Attorney is working on a response to Mr. Ard's letter.

Mayor Hays said Mrs. Mary Munns-Williams passed away Sunday. Mrs. Munns-Williams worked as Assistant City Clerk and Collector before being appointed to the position in 1989. She served as City Clerk until retiring in 2000. Visitation will be tomorrow (Tuesday) from 6:00 p.m. until 8:00 p.m. at the North Little Rock Funeral Home. Funeral services will be held at the Gardner Memorial United Methodist Church

Wednesday at 2:00 p.m. Mayor Hays said Ms. Mary was a kind and gentle woman and expressed everyone's sympathy to her husband Larry and the rest of her family.

Mayor Hays introduced a video previously shown during the Police and Fire Awards Ceremony. Mayor Hays expressed everyone's appreciation to the North Little Rock Police and Fire Department. Mayor Hays said Police Sergeant Tim Willis recently received a National Award as well. Alderman Thomas thanked all of the city employees for their service to the people of North Little Rock.

Mayor Hays invited Mr. Michael Drake, Main Street/Argenta Director to come forward. Mr. Drake then read and presented a plaque to Mr. Chris Kent for his service as President of the Main Street/Argenta Board of Directors. Mayor Hays then presented Mr. Kent with a proclamation expressing appreciation for his service to the city on the board and as a property owner and business man in North Little Rock. Mr. Kent thanked the people of North Little Rock and the employees for working together to revitalize the downtown area.

Mayor Hays invited Mr. Robert Voyles, Planning Director to come forward. Mr. Voyles presented a Power Point Presentation regarding proposed changes to the Master Street Plan and referenced the 1998 Plan. The proposed plan included the North Belt Freeway, among other areas. Design standards for all roadways were reviewed as well as traffic considerations. A segmentation table of minor arterial's was included (Counts Massie Road, Crystal Hill, Fairfax, Highway 161, Highway 70, Lakeview, Landski, Main, Maple, Marche Lateral Road, McCain, E. McCain, North Hills Boulevard and Parkway). Classification changes include Minor Arterial (Crystal Hill, Batesville Pike, Counts Massie), Collector (Bay Oaks, Warden Road, Collector from North Hills Boulevard to Springhill, Faulkner Lake Road, East McCain Boulevard, Frontage Roads from East McCain/ I-440 to I-40, and proposal from Galloway to Wooten Road), and Roundabout, (Counts Massie Road / Vestal Boulevard / proposed minor arterial, Pike Avenue / Riverfront Drive / West 4th, and Highway 391 / Faulkner Lake Road). Mr. Voyles also mentioned financing considerations. Proposed changes to the Bike Path were discussed. Alderman Hight said the River Trail is being used by both pedestrians and bikers and is becoming congested during certain times of the day. Extending the bike trail will help with the congestion. A public hearing will be held on Monday, March 26, 2007, at 7:05 p.m.

Mayor Hays presented a letter to the council regarding an update on construction costs attributed to the Dickey Stephens Ball Park and the Patrick Henry Hays Senior Citizens Center expansion. After discussion and on the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the letter was accepted and filed as communication #4 (6/0).

4. Mayor Hays letter to City Council re: Update on Construction Costs Attributed to Dickey Stephens Park. Previously approved \$33,055,781 anticipated change orders \$627,508. Total approved funds plus change orders equals \$33,683,289.

Mayor Hays convened a public hearing at 8:00 p.m. regarding O-07-13, establishing and implementing residential parking in certain areas of downtown North Little Rock. Mr. Scott Miller presented a Power Point Presentation illustrating the types of housing in the area, including shot-gun houses and duplexes, lot sizes and limited off-street parking. Some locations do not have off-street parking or alley access. Alderwoman Robinson has received emails from residents in the area who support this proposal. Don Chambers said this proposal is needed. If it doesn't work, the council can always change it. Mr. Dan Scott, Director of Neighborhood Services said costs would be \$383.41 for stickers, and approximately \$100.00 for signs which would be placed on existing poles. Mrs. Ann Clements lives downtown and loves the area. They want to be good neighbors to the ball park. There are small children in the area. Mrs. Clements asked the council to keep their neighborhood safe. Mayor Hays said the first weekend the ball park is open will present challenges as there will be approximately 15,000 people attending an event at Alltel Arena, in addition to the ball park attendees. Mr. Joe Reynolds does not live in the area. Mr. Reynolds said as a taxpayer he should be able to park on a public street. Mayor Hays recessed the public hearing until the next meeting, Monday, March 26, 2007, at 7:05 p.m. Alderman Hight said he recently attended a party in the Argenta neighborhood. There were approximately 60 - 70 vehicles parked in the area. He drove down 4th Street every night this past week. Today was the first time he saw a car parked on 4th. Alderman Hight provided the scenario of a baseball game, arena event, and the possibility of a family event at someone's home in the area. Alderman Hight asked if a study could be done during the first month the ball park is open to see if there is a problem.

UNFINISHED BUSINESS

O-07-05

AN ORDINANCE AMENDING ORDINANCE NO. 6768 TO ESTABLISH NEW BOUNDARIES FOR THE ARGENTA HISTORIC DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 22, 2007, and a public hearing was reconvened that date. The ordinance was called and held at the request of the sponsor Alderwoman Robinson.

O-07-11

AN ORDINANCE AMENDING ORDINANCE NO. 7888, THE 2007 BUSINESS LICENSE SCHEDULE (Class 171 Pawnbrokers); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time, February 12, 2007, was read a second time this date and held at the request of the sponsor, Alderman Gaines.

O-07-12

AN ORDINANCE AMENDING THE MASTER STREET PLAN ORDINANCE (NO. 7178) ADDING BAY OAKS DRIVE AS A COLLECTOR STREET BETWEEN WEST SCENIC DRIVE AND WEST PERSHING BOULEVARD; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time February 12, 2007. The legislation was called and held due to the absence of the sponsor, Alderman Parker.

O-07-13

AN ORDINANCE ESTABLISHING AND IMPLEMENTING A RESIDENTIAL PARKING PERMIT PROGRAM FOR CERTAIN AREAS IN DOWNTOWN NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times, February 26, 2007, and amended. A public hearing was held this date (see above) and recessed until March 26, 2007, at 7:05 p.m. The legislation was then held by the sponsor, Mayor Hays.

O-07-14

AN ORDINANCE ADOPTING A MASTER STREET PLAN AND MAPS FOR THE CITY OF NORTH LITTLE ROCK; REPLACING THE PREVIOUS MASTER STREET PLAN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time February 26, 2007. Mr. Voyles provided a Power Point presentation this date, reviewing the (2007) Master Street Plan (see above). A public hearing will be held on Monday, March 26, 2007 at 7:05 p.m. The ordinance was read a second time this date and held at the request of the sponsor, Mayor Hays.

NEW BUSINESS

R-07-23 (RESOLUTION NO. 7061 - MAYOR HAYS)

A RESOLUTION CONFIRMING THE APPOINTMENT OF MATT CHANDLER TO THE UNEXPIRED TERM OF JIMMY J. PAUL ON THE NORTH LITTLE ROCK HOUSING AUTHORITY BOARD OF COMMISSIONERS AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gaines and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (6/0).

R-07-24 (RESOLUTION NO. 7062 - MAYOR HAYS)

A RESOLUTION APPOINTING LOWELL ALDERMAN TO THE UNEXPIRED TERM OF FAITH JONES ON THE SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gaines and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (6/0). Mayor Hays acknowledged Mr. Alderman who was present and thanked him for his service to the city.

R-07-25 (RESOLUTION NO. 7063 - MAYOR HAYS)

A RESOLUTION REAPPOINTING GARY DEAN TO THE NORTH LITTLE ROCK, ARKANSAS HEALTH FACILITIES BOARD (BAPTIST HEALTH); AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Gaines, and by consent of all members present, the resolution was adopted (6/0).

R-07-26 (RESOLUTION NO. 7064 - MAYOR HAYS)

A RESOLUTION REAPPOINTING BOB GOSSER TO THE NORTH LITTLE ROCK, ARKANSAS HEALTH FACILITIES BOARD (BAPTIST HEALTH); AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gaines and seconded by

Alderman Hight, and by consent of all members present, the resolution was adopted (6/0).

R-07-27 (RESOLUTION NO. 7065 - MAYOR HAYS)

A RESOLUTION REAPPOINTING EDWARD NELSON TO THE NORTH LITTLE ROCK WASTEWATER TREATMENT COMMITTEE, AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Bryant, and by consent of all members present, the resolution was adopted (6/0).

R-07-28 (RESOLUTION NO. 7066 - ALDERMEN BRYANT AND ROSS)

A RESOLUTION REAPPOINTING BOB FLECKENSTINE TO THE NORTH LITTLE ROCK CIVIL SERVICE COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Bryant, and by consent of all members present, the resolution was adopted (6/0).

R-07-29 (RESOLUTION NO. 7067 - MAYOR HAYS)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF CUSTOM AIRCRAFT CABINETS TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY ARK. CODE. ANN. § 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Bryant and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted (6/0).

R-07-30 (RESOLUTION NO. 7068 - MAYOR HAYS)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF DeWAFELBAKKER, INC. TO PARTICIPATE IN THE TAX BACK PROGRAM, AS AUTHORIZED BY ARK. CODE ANN. § 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Bryant and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted (6/0).

R-07-31 (RESOLUTION NO. 7069 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1509 CHANDLER IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Gaines. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (6/0). (*owners: John Hill and Paul Atkinson, III*).

R-07-32

A RESOLUTION URGING WAL-MART STORES TO KEEP ITS STORE IN LEVY OPEN; AND FOR OTHER PURPOSES, was called and held at the request of sponsor, Alderman Gaines. Mayor Hays advised he spoke with Wal-Mart representatives

regarding the Levy Wal-Mart. A relocation is likely, but did not mean the Levy location would close. Mayor Hays said he was assured the location would not close this year and there were no immediate plans to close it.

R-07-33

A RESOLUTION DIRECTING THE DIRECTOR OF NORTH LITTLE ROCK'S COMMERCE DEPARTMENT TO ESTABLISH A PROCESS FOR PROCURING BIDS ON HEALTH INSURANCE BENEFITS FOR UNIFORM AND NON-UNIFORM EMPLOYEES OF THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES

was read. A motion to adopt was made by Alderman Gaines and seconded by Alderwoman Robinson. Alderman Thomas proposed amending the legislation as follows:: *Section 1, to two non-management uniformed employees and two non-management non-uniformed employees. The uniformed employees to be selected by their respective unions, and, any insurance provider must comply with all State and Federal Regulations governing insurance coverage and will comply with the Arkansas State Insurance Commission's Rules and Regulations.* The motion to amend was seconded by Alderwoman Robinson. Mr. Carter said the amendment, as submitted would not allow the Arkansas Municipal League to participate in the process. Mayor Hays said he has not had a chance to review the legislation and would oppose the amendment. Alderman Thomas changed his amendment to include the changes in Section 1, and exclude the changes regarding insurance providers. Alderman Hight asked the legislation be held to allow the two aldermen who were absent an opportunity to review the proposal. Alderman Thomas asked council members to support city employees. Alderwoman Robinson said the purpose of this legislation is to establish a process only. Alderwoman Ross said this would not change the current insurance provided to employees, it would allow reviewing other plans and possibly saving money. Alderman Hight asked if the city had any unique specifications regarding insurance. Mr. Bob Sisson, said there are items specific to North Little Rock employees. Step increases were discussed. Alderman Hight is involved in insurance business. There are companies who want to do business with municipalities and others that do not. On the previous amendment, and the following members having voted yes: Ross, Robinson, Thomas and Gaines, and the following members having voted no: Bryant, and Hight, the motion to amend failed (4/2). Mayor Hays declined to vote. The legislation was then held by sponsor, Alderman Thomas.

O-07-17

AN ORDINANCE AMENDING THE NORTH LITTLE ROCK MUNICIPAL CODE RELATED TO PARKING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

was read. On the motion of Alderman Gaines and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (6/0). The ordinance was then held by the sponsor, Mayor Hays. *Note: item was not read a second time this date.*

PUBLIC COMMENTS-----

Alderwoman Robinson said she and Alderman Thomas will host "Town Hall" meetings at the Rose City Boys and Girls Club/PAL Center, March 20, 2007, at 6:00 p.m., and a

second meeting on Tuesday, March 27, 2007, at the Presbyterian Church, 400 Maple Street, at 6:00 p.m. Residents of Ward 2 were encouraged to attend. Representatives from Police, Code Enforcement, Sanitation and Parks and Recreation Departments have been invited to answer questions from the public. Mr. Joe Smith, Commerce and Governmental Affairs Director advised the lights at Dickey-Stephens Ball Park will have to be left on for 100 consecutive hours, in case anyone was wondering why they are being left on. Mr. Bobby Taylor asked where police officers would come from to work events downtown. Mr. James Cobb said North Little Rock uniformed employees want insurance and not a benefit plan. Mr. Cobb encouraged all citizens to call the Aldermen and Mayor regarding the same. Mr. Miller spoke regarding the ball park and Riverfest. The ball park will eventually be used as a site for concerts during Riverfest. Mr. Miller said regarding visitor's passes in the downtown neighborhood, the residents would like to work it out among themselves. Alderman Bryant thanked Mr. Miller for his work on the parking issue. With regard to his vote against the amendment to R-07-33, he clarified he did not vote against the resolution, only the amendment as presented. Alderman Hight said the same. Alderman Hight asked Mr. Carter about the Freedom of Information Act (FOIA). Mr. Carter said if two or more Aldermen are going to be at the same location, and discuss city business or an item which might come before the council at a later date, the media should be notified. Mr. Carter said if a council member had a question regarding FOI, they could notify his office and he would notify the media.

There being no further business to come before the Council, and on the motion of Alderman Gaines and seconded by Alderman Thomas, and by agreement of all members present, the meeting adjourned at 9:05 p.m. (6/0), until the next regularly scheduled meeting to be held on Monday, March 26, 2007, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS
ATTEST: DIANE WHITBEY, CITY CLERK